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正本

經濟部智慧財產局專利核駁審定書

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- 一、申請案號數：091-101600
- 二、發明名稱：低透氣性軟聚胺基甲酸乙酯泡沫塊及其製造方法
- 三、申請人：

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五、申請日期：九十一年一月三十日

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09220839590

Applicants: Takahiro Tanaka
Title: Low Air-Permeability Flexible
Polyurethane Foam Block, and...
U.S. Serial No. 10/625,330
Filed: July 23, 2003
Exhibit B



訂

錄

八、審定內容：

主文：本案應不予專利。

依據：專利法第二十條第二項。

理由：

(一) 本案所請為「低透氣性軟聚胺基甲酸乙酯泡沫塊及其製造方法」，係使用多元醇、異氰酸酯化合物、觸媒、發泡劑及整泡劑 (foam stabilizer, cell stabilizer) 以製造低透氣性軟聚胺基甲酸乙酯，透氣性在 $5/立方公分/平方公尺/秒$ 以下，詳如申請專利範圍所述。

(二) 經查 JP7188644、JP3068677、JP57031976、JP57102978、US5550169、JP9053061、US5432206、US4276385、JP8092404 及 EP0806442 已揭示使用多元醇、異氰酸酯化合物、觸媒、發泡劑及整泡劑 (foam stabilizer, cell stabilizer) 以製造低透氣性軟聚胺基甲酸乙酯，其中 JP7188644、JP3068677、JP57031976、JP57102978、US5550169、JP9053061 敘及整泡劑為矽化合物，US5432206、US4276385、JP8092404 敘及整泡劑為 siloxane-oxyalkylene copolymer，JP7188644、JP3068677、JP9053061 敘及透氣性在 $20/立方公分/平方公尺/秒$ 以下，JP57031976 透氣性在 $10/立方公分/平方公尺/秒$ 以下；故本案係運用申請前既有之技術或知識，為熟習該項技術者所能輕易完成，不符法定專利要件。



(三) 本案九十一年三月五日所補送英文摘要將「多元醇」誤譯為「polyether」，一併指出。

(四) 檢附前述引證資料摘要(如附件)。

據上論結，本案不符法定專利要件，爰依專利法第二十條第二項，審定如主文。

局長
蔡練生

依照分層負責規定授權單位主管決行

如不服本審定，得於文到之次日起三十日內，備具再審查理由書一式二份及規費新台幣陸仟元整(專利說明書及圖式合計在五十頁以上者，每五十頁加收新台幣五百元，其不足五十頁者以五十頁計)，向本局申請再審查。

Translation of the Office Action
(issued to Patent Application No. 091101600)

Subject:

According to the Article 20(2) of the Patent Law, the present invention patent shall not be granted thereto.

Descriptions:

1. The subject matter of the present invention is "low-air permeability soft polyurethane foam block, and manufacturing method thereof", which is to manufacture the low-air permeability soft polyurethane having the permeability of $5/\text{cm}^3/\text{m}^2/\text{sec}$ by using polyol, isocyanate compound, catalyst, foam blowing agents, and foaming control agents (foam stabilizer, cell stabilizer), as detailed in the claims.
2. After examination, it appears that JP7188644, JP3068677, JP57031976, JP57102978, US5550169, JP9053061, US5432206, US4276385, JP8092404, and EP0806442 had disclosed manufacturing the low-air permeability soft polyurethane by using polyol, isocyanate compound, catalyst, foam blowing agents, and foaming control agents (foam stabilizer, cell stabilizer). In which, JP7188644, JP3068677, JP57031976, JP57102978, US5550169, and JP9053061 described that the foaming control agent is a silicate compound, US5432206, US4276385, and JP8092404 described the foaming control agent is a siloxane-oxyalkylene copolymer, and the air permeability described in JP7188644, JP3068677, and JP9053061 is less than $20/\text{cm}^3/\text{m}^2/\text{sec}$, and the air permeability described in JP57031976 is less than $10/\text{cm}^3/\text{m}^2/\text{sec}$. Therefore, the present application is just to apply the prior techniques or knowledge, and is easily conceivable and achievable by one ordinarily skilled in the art, so that a patent shall not be granted thereto.
3. The English translation of abstract supplemented on March 5, 2002 had mistranslated the terms of "多元醇" into "polyether", and it should be amended.
4. The attachments are the copies of the cited references' abstracts.

In conclusion, the present application does not comply the legal requirements for patentability according to the Article 20(2) of the Patent Law, and an action is thus

rendered to have the above-mentioned subject.

If dissatisfied with this Office Action, the applicant can request a re-examination by submitting the reexamination briefs in duplicate and paying the Office Fee of NT\$ 6000 within 30 days following the day of receipt of this Action. (Every extra 50 pages will have to pay extra NT\$ 500 if the Specification (including the Drawings) is over 50 pages. The extra pages will be regarded as 50 pages if the extra pages are less than 50 pages.)